

**REMARKS**

Claims 1-45 are all the claims pending in the application.

In the Amendment filed on January 17, 2006, Applicant argued that the cited art failed to disclose or suggest at least the following limitations of the independent claims (1, 2, 9-12, 19, 21, 23 and 25) “generating referential image data based on a detected three-dimensional shape.”

In response, the Examiner argues that:

Applicants argue (page 18) that their claimed invention differs from the prior art because “there is no disclosure in Eraslan of detecting an actual three-dimensional shape.” The Examiner disagrees. As illustrated in figures 5 and 6, Eraslan clearly discloses the step of detecting a three-dimensional shape of person’s face. Eraslan explains that a 3-D human head is detected (figure 1), and is divided into facial feature parts and stored in a memory (col. 12, lines 3-6 and lines 16-20). Thus, the detected 3D head in figure 1 and the detected 3D facial feature parts in figures 5-6 clearly represent a detected 3D shape of the person’s face.

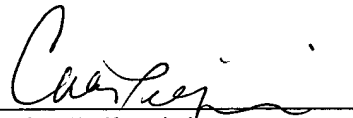
Applicant continues to disagree with the Examiner’s position because the Eraslan system does not generate a referential face image based on the detected three-dimensional shape. The Eraslan system generates three-dimensional face surface images. However, the three-dimensional images are generated based on two-dimensional mug shots (col. 3, lines 10-11) and based on three-dimensional head surface data of samples of heads maintained in a data base (col. 4, lines 38-39; col. 11, line 66 to col. 12, line 3). These sample heads are not the same as the actual three-dimensional face being detected in the claimed invention to arrive at a referential face image.

While figure 1 is an example of a 3-D head, there is no disclosure or suggestion that figure 1 was obtained by detecting a three-dimensional shape. Figure 1 is used in connection with figures 2-4 to show how a 3-D head would be stored as graphical wire frame images in a computer memory. Col. 12, lines 3-15. Likewise, figures 5 and 6 do not represent parts of a detected shape; rather, the figures are used in connection with figures 7-13 to identify "generic" facial features. Col. 12, lines 16-27. The 3-D shape is merely an approximation and does not match a face shape of a person who provides an enquiry face image.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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